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P.3/3

MANDATE

UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

SDNY/NYNY
07-cv-2622
Hellerstein

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INVESCO INSTITUTIONAL (N.A.), INC.,

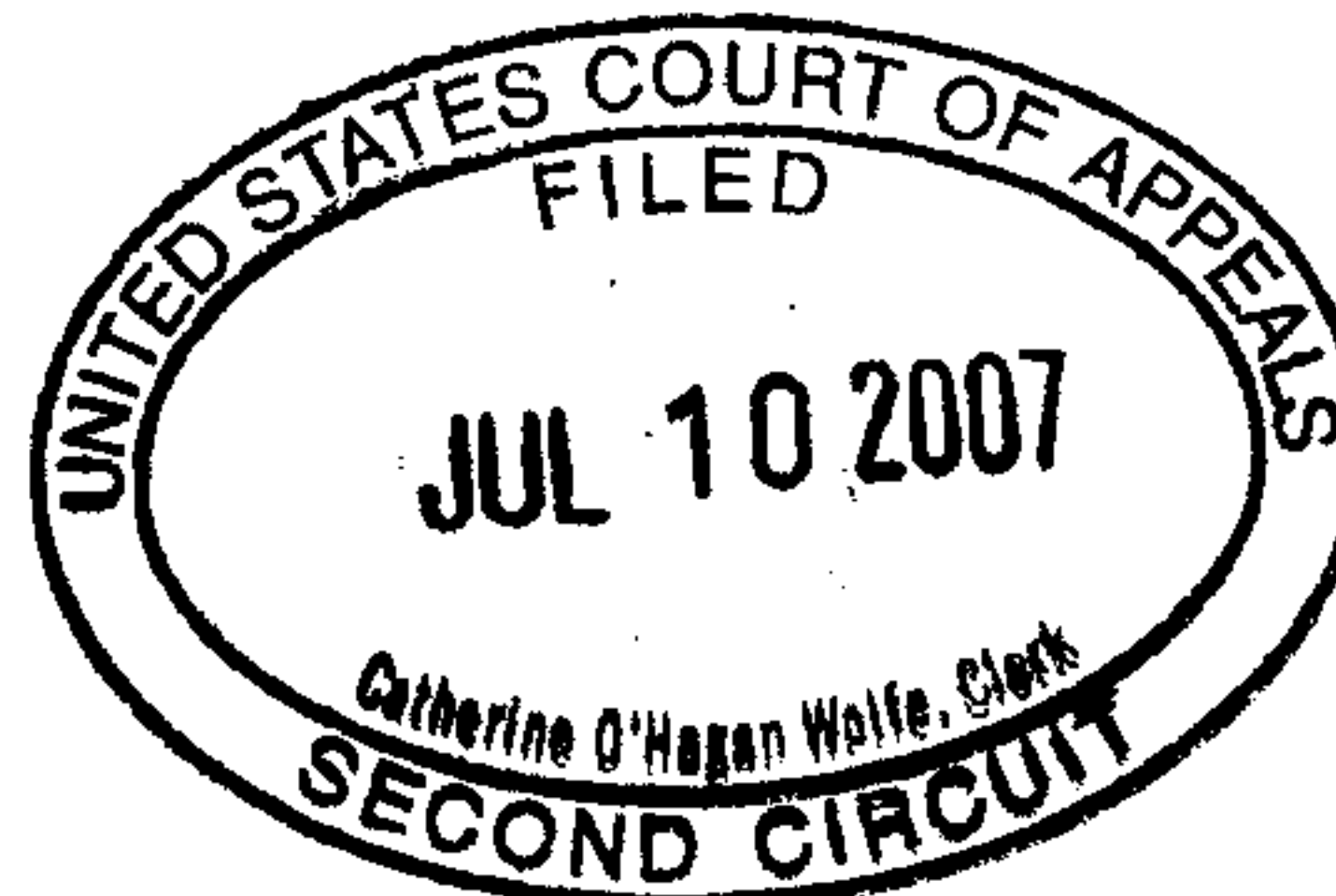
Plaintiff - Appellant,

No. 07-2324-cv

-against-

DEUTSCHE INVESTMENT MANAGEMENT
AMERICAS INC.,

Defendant - Appellee.
-----X



STIPULATION AND ORDER OF WITHDRAWAL OF APPEAL WITH PREJUDICE

The undersigned hereby stipulate that the above-captioned appeal is hereby withdrawn with prejudice, without costs, and without attorneys' fees pursuant to Rule 42(b) of the Federal Rules of Appellate Procedure.

Dated: July 3, 2007

BAKER & HOSTETLER LLP

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Attorneys for Defendant-Appellee Deutsche Investment Management Americas, Inc.

Attorneys for Plaintiff-Appellant INVESCO Institutional (N.A.), Inc.

SO ORDERED FOR THE COURT
Catherine O'Hagan Wolfe, Clerk of Court
By: Lisa J. Greenberg
Lisa J. Greenberg, Staff Counsel

A TRUE COPY
Catherine O'Hagan Wolfe, Clerk
by: Angela Weston
DEPUTY CLERK

CERTIFIED:

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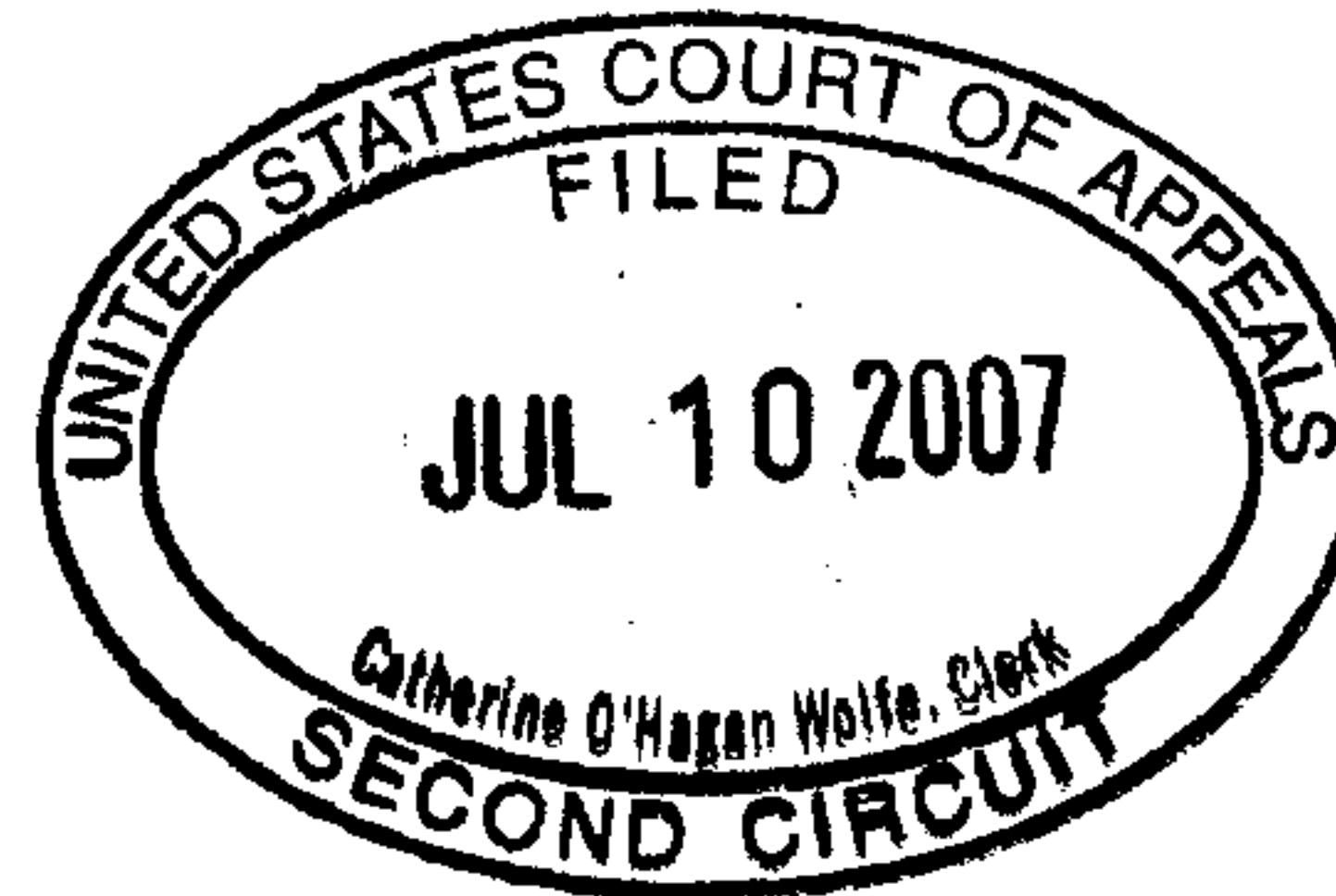
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